

In re application of Claude Ray et al	)	Date: January 22, 2008
	)	
Serial No.: 10/824,827	)	Group Art Unit: 3677
	)	
Filed: 04/15/2004	)	Examiner: Reese, David
	)	
For: Jewelry Item with Rotating	)	
Gemstone	)	
<hr/>		

Hon. Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, Virginia 22313

**Via EFS**

**Request for Reinstatement of Appeal and New Notice of Appeal under MPEP §1204.01**

Dear Sir/Madam:

Applicant hereby appeals from the examiner's decision dated October 22, 2007 in which prosecution was reopened after an initial Notice of Appeal and an Appeal Brief were filed, but before a decision was rendered by the Board of Appeals and Patent Interferences; claims 11-14, 17-19 and 20 were again rejected and are subject to the appeal herein. Accordingly, pursuant to MPEP 1204.01, applicant respectfully requests that the previously paid appeal fees be applied to this new appeal.

Respectfully submitted,

**/kenneth l. tolar/**

Kenneth L. Tolar  
Registration No. 39,860  
Telephone No. (504) 780-9891

cc: Joseph Koll(w/encl.)